

REMARKS

The foregoing election is made without traverse. The preliminary amendment removes the unelected claims from this application. In view of the preceding election and preliminary amendment, the applicant respectfully requests consideration of the elected claims, on the merits.

Respectfully submitted,

Scimed Life Systems, Inc.

Date: February 18, 2004

  
Frederick W. Niebuhr  
Registration No. 27,717

Customer No. 23,452

CERTIFICATE OF MAILING

Pursuant to 37 CFR 1.8, I hereby certify that this Election of Claims and Preliminary Amendment in U.S. Application Serial No. 10/038,640 is being deposited with the U.S. Postal Service by first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of deposit indicated below.

Date of Deposit: February 18, 2004

  
Geralyn M. Vita

921743.1